

FILED
Clerk
District Court

FEB - 3 2006

STEPHEN J. NUTTING, ESQ.
Post Office Box 5093
Saipan, MP 96950
Telephone: (670) 234-6891
Facsimile: (670) 234-6893

For The Northern Mariana Islands
By _____
(Deputy Clerk)

Attorney for Defendants

UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

LI YING HUA, LI ZHENG ZHE and XU
JING JI,

CASE NUMBER CV 05-0019

Plaintiffs,

vs.

MOTION TO WITHDRAW AS COUNSEL

JUNG JIN CORPORATION, a CNMI
corporation, ASIA ENTERPRISES INC.,
a CNMI corporation, PARK HWA SUN
and KIM HANG KWON,

Hearing Date: MAR - 9 2006
Hearing Time: 9:00am
~~Courtroom:~~ Alex R. Munson
Judge:

Defendants.

COMES NOW, Stephen J. Nutting, attorney for defendants, Jung Jin Corporation, Asia Enterprises Inc., Park Hwa Sun, and Kim Hang Kwon, to hereby moves this Court for an order relieving him as attorney of record for the above-mentioned defendants (hereinafter "Clients").


The grounds for the motion are as follows:

1. Clients have failed and refused to pay reasonable attorney's fees presently outstanding and have represented that they will be unable to pay any future fees as may come due in the case. (see, ABA Model Rules of Professional Conduct, Rule 1.16 (b) (4));

3. Defendants Park Hwa Sun both personally and as the sole representative and contact person for corporate defendant Jung Jin Corporation, has left the Commonwealth and is unavailable to assist the attorney in the preparation and defense of the case.

As explained in the Affidavit of Stephen J. Nutting, clients were served with this motion by hand delivery to defendant Mr. Kim Hang Kwon, who previously cohabitated with defendant Park, Hwa Sun, prior to her departure from Saipan, who has served as an officer and director of each of the corporate defendants, Jung Jin Corporation, and Asia Enterprises Inc..

This motion is based on the pleadings and papers on file in this action, this motion, the attached Notice of Motion, and the accompanying Affidavit of Stephen J. Nutting in Support of Motion to Withdraw.


STEPHEN J. NUTTING
Attorney for Defendants